

ANTHONY L. MARTIN, ESQ.

Nevada Bar No. 8177

anthony.martin@ogletreedeakins.com

JILL GARCIA, ESQ.

Nevada Bar No. 7805

jill.garcia@ogletreedeakins.com

MARCUS B. SMITH, ESQ.

Nevada Bar No. 12098

marcus.smith@ogletreedeakins.com

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

Wells Fargo Tower

Suite 1500

3800 Howard Hughes Parkway

Las Vegas, NV 89169

Telephone: 702.369.6800

Fax: 702.369.6888

*Attorneys for Defendants Eldorado Resorts Corporation
and Michael Marrs*

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

LYNN KAPLAN,

Plaintiff,

vs.

ELDORADO RESORTS CORPORATION, a
Florida corporation; MICHAEL MARRS;
BRUCE POLANSKY; KRISTEN BECK;
DOMINIC TALEGHANI; JAMES GRIMES;
AND DOES 1-50, inclusive;

Defendants.

Case No.: 2:15-cv-01015-RFB-PAL

**STIPULATION AND ORDER TO
EXTEND TIME TO FILE DISPOSITIVE
MOTIONS AND RESPONSES AND
REPLIES THERETO**

(SECOND REQUEST)

Pursuant to LR IA 6-1, LR IA 6-2, LR 7-1 and LR 26-4, Plaintiff Lynn Kaplan ("Plaintiff") and Defendants Eldorado Resorts Corporation and Michael Marrs (collectively "Defendants"), by and through their undersigned counsel, hereby stipulate and agree to this second request for extension of time for the parties to file a response and reply to the previously filed Dispositive Motion (ECF No. 57). Pursuant to the Stipulation and Order to Extend Time to File Dispositive

1 Motions, and Responses thereto (First Request) (ECF No. 53), Defendants filed the Dispositive
2 Motion in this case on February 27, 2017 (ECF No. 57). The parties have completed all discovery
3 in this matter, and good cause exists for the proposed extension based upon the following:

4 As the Court is aware, this case is one of over thirty related lawsuits sitting before this
5 Court. Recognizing the complexity of litigating these lawsuits simultaneously, the parties agreed
6 to divide the cases into five groups and stagger deadlines in order to streamline the litigation
7 process and avoid overlapping dispositive motion deadlines. On December 28, 2016, the parties
8 agreed to a comprehensive briefing schedule for dispositive motions in the remaining groups of
9 cases. (ECF No. 53.) The current status of the comprehensive briefing schedule is as follows:

11 Group III(A)

- 12 • Defendants shall file dispositive motions by February 27, 2017.
- 13 • Plaintiffs shall file oppositions by March 29, 2017.
- 14 • Defendants shall file replies by April 28, 2017.

16 Group III(B)

- 17 • Defendants shall file dispositive motions by March 23, 2017.
- 18 • Plaintiffs shall file oppositions by April 24, 2017.
- 19 • Defendants shall file replies by May 24, 2017.

21 Group IV(A)

- 22 • Defendants shall file dispositive motions by April 13, 2017.
- 23 • Plaintiffs shall file oppositions by May 12, 2017.
- 24 • Defendants shall file replies by June 13, 2017.

26 Group IV(B)

- 27 • Defendants shall file dispositive motions by June 6, 2017.
- 28 • Plaintiffs shall file oppositions by July 6, 2017.

- Defendants shall file replies by August 7, 2017.

Group V

- Defendants shall file dispositive motions by June 22, 2017.
- Plaintiffs shall file oppositions by July 24, 2017.
- Defendants shall file replies by August 23, 2017.

In compliance with that stipulation, Defendants filed Motions for Summary Judgment on February 27, 2017, in *Barnes v. Eldorado Resorts Corp.*, Case No.: 2:15-cv-01026-RFB-PAL (ECF No. 60); *Kaplan v. Eldorado Resorts Corp.*, Case No.: 2:15-cv-01015-RFB-PAL (ECF No. 57); *D. Parr v. Eldorado Resorts Corp.*, Case No.: 2:15-cv-01028-RFB-PAL (ECF No. 50); and *Scheinberg v. Eldorado Resorts Corp.*, Case No.: 2:15-cv-01031-RFB-PAL (ECF No. 63). Unilaterally and without notice to defense counsel, on the day before oppositions were due, Plaintiffs filed a request for an extension to file oppositions to the Motions for Summary Judgment on March 28, 2017, in the foregoing cases: *Barnes v. Eldorado Resorts Corp.*, Case No.: 2:15-cv-01026-RFB-PAL (ECF No. 63); *Kaplan v. Eldorado Resorts Corp.*, Case No.: 2:15-cv-01015-RFB-PAL (ECF No. 60); *D. Parr v. Eldorado Resorts Corp.*, Case No.: 2:15-cv-01028-RFB-PAL (ECF No. 53); and *Scheinberg v. Eldorado Resorts Corp.*, Case No.: 2:15-cv-01031-RFB-PAL (ECF No. 66), seeking to extend the current filing date of March 29, 2017, to April 12, 2017. This request remains pending before the Court. Due to this delay, the entire comprehensive briefing schedule has been impacted, causing overlapping and unreasonable deadlines. The delays will make it difficult to comply with the current briefing schedules for the remaining matters.

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Accordingly, the parties hereby stipulate to adjust the briefing schedule in the manner presented below in an effort to allow the parties to comply with the briefing schedule in a reasonable manner as follows:

Group III(A)

- Plaintiffs shall file oppositions by April 12, 2017.
- Defendants shall file replies by May 12, 2017.

Group III(B)

- Plaintiffs shall file oppositions by May 8, 2017.
- Defendants shall file replies by June 7, 2017.

Group IV(A)

- Defendants shall file dispositive motions by May 31, 2017.
- Plaintiffs shall file oppositions by June 30, 2017.
- Defendants shall file replies by July 31, 2017.

Group IV(B)

- Defendants shall file dispositive motions by June 21, 2017.
- Plaintiffs shall file oppositions by July 21, 2017.
- Defendants shall file replies by August 21, 2017.

Group V

- Defendants shall file dispositive motions by August 30, 2017.
- Plaintiffs shall file oppositions by September 29, 2017.
- Defendants shall file replies by October 30, 2017.

As relevant to this matter, the parties have agreed that the dispositive motion deadlines should be extended as follows:

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- Plaintiff shall file any response to Defendants' dispositive motion no later than April 12, 2017;
- Defendants shall file their reply no later than May 12, 2017.

This stipulation is not brought for purposes of delay or any other improper purpose.

Dated this 10th day of April, 2017.

WATKINS & LETOFSKY, LLP

OGLETREE, DEAKINS, NASH, SMOAK
& STEWART, P.C.

/s/ Daniel R. Watkins

/s/ Jill Garcia

Daniel R. Watkins
Brian S. Letofsky
8215 South Eastern Avenue
Suite 265
Las Vegas, NV 89123
Telephone: 702-487-7574
Attorneys for Plaintiff Lynn Kaplan

Anthony L. Martin
Jill Garcia
Marcus B. Smith
3800 Howard Hughes Parkway
Suite 1500
Las Vegas, NV 89169
Telephone: 702-369-6800
*Attorneys for Defendants Eldorado Resorts
Corporation, and Michael Marrs*

ORDER

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

April 13, 2017

DATED